

**BOARD OF THE PUBLIC SAFETY & SECURITY INFORMATION SYSTEM
(ILETS)**

Meeting #131

The Public Safety & Security Information System (ILETS) Board convened in person on April 27th, 2021 at 2:00 p.m. at the Riverside Hotel, Boise, Idaho.

Board Members Present

Sheriff Eric Snarr, Minidoka County Sheriff's Office (Chairman)
Chief Craig Kingsbury, Twin Falls Police Department
Chief Roger Schei, Pocatello Police Department
Colonel Kedrick Wills, Director, Idaho State Police (ISP)
Major Charlie Spencer, Idaho State Police (ISP)

Board Members Absent

Sheriff Shaun Gough, Gooding County Sheriff's Office

Non-Members Present

Leila McNeill, Chief ISP Bureau of Criminal Identification (BCI)
Sandy Kelleher, Operations Officer (BCI)

I. Opening

1) Call to Order

- a) Chairman Sheriff Snarr called the meeting to order at 2:03pm

2) Silent Roll Call of Board Members

- a) A roll call was conducted. All Board members were present except Sheriff Gough. Chairman Snarr welcomed the newest board member, Chief Roger Schei from the Pocatello Police Department.

- 3) Chairman Snarr called for a motion to accept the board meeting minutes from the Oct. 30, 2020; Nov.30, 2020; Mar. 4, 2021; and Mar. 22, 2021 meetings. Colonel Kedrick Wills moved to accept the noted meeting minutes. Chief Kingsbury seconded the motion.

Votes in favor: 5

Votes against: 0

Motion passed

- 4) Chairman Snarr presented a plaque of appreciation to former Meridian Police Department Chief Jeff Lavey for his service to the ILETS Board, commemorating his 8 ½ years of service.

II. Informational Topics

1) ITD/DMV Project update

Bureau Chief McNeill updated the board members regarding ITD modernization projects that had been reported on at previous meetings. Those projects, including the latest Vehicle Registration modernization have been completed. Bureau Chief McNeill told the board that

an issue where ITD caused Law Enforcement to be without DMV information for approximately 12 hours. In March, ITD suffered an outage which was discovered around 8:30pm. The outage was found to be caused by a cut cable, disabling the connection from the DMV data to ILETS. The largest issue for ILETS was that ITD no longer has an after-hours contact for ISP to call to escalate an issue such as this. Idaho DMV data was offline until the next morning when staff were notified of and available to fix the problem. Colonel Wills was informed of the issue when it occurred and a discussion with ITD leadership occurred with ISP Command staff. BCI/ILETS staff are working with ITD personnel to set up regular meetings to ensure ITD staff understand the critical need for Law Enforcement to have uninterrupted access to Idaho DMV information. Chief Schei asked why there was a misalignment, why did this happen? Colonel Wills responded that he had discussed with Deputy Director Stokes that ITD does not have the resources to respond to after hours problems. Major Spencer also brought up the fact that ITD has, over the past few years, tried to bring cost savings to the state by streamlining their services. These changes have had unintended consequences and ITD is working to regain their understanding of how vital their data is for their customers. Major Spencer mentioned also that some services previously administered by ITD have shifted to other agencies, such as boat and snowmobile registrations now being administered by Parks and Recreation. This is a new service for Parks and they're now learning how to make that information available to law enforcement. Colonel Wills noted that the new Parks and Recreation Director, Susan Buxton, is very willing to work with us to ensure that connection is made. Sheriff Snarr noted that Minidoka Sheriff's Office is now issuing boat and snowmobile registrations several days per week at Lake Wolcott. Plates are only available through the county assessor's office.

2) SMART Grant/SOR Livescan project

Bureau Chief McNeill told the board that the grant money awarded from the SMART office program provided \$20,000 for 15 Sheriff's offices to purchase a new livescan device in order to be able to submit offender registration fingerprints to BCI electronically. We have 13 signed MOA's and we've identified two other agencies that we will offer the funds to. We've reimbursed eight agencies so far and spent \$133,213.00. We are very close to having a new device in all of the Sheriff's offices that do sex-offender registration fingerprinting. This will make a big difference to both the Sex Offender Registry unit and the ABIS Fingerprint unit as they receive more and more registration fingerprints electronically rather than manual prints through the mail.

3) Criminal History Record project

We had a grant awarded to us in 2018 to provide funding for what was originally six part-time staff to capture dispositions from the court. These dispositions, for whatever reason, did not automatically attach to the arrest information in our criminal history database. The grant is usually funded for two years, which would have ended it in December of 2020. Bureau Chief McNeill requested a grant adjustment after the first year, asking to change the number of staff to four rather than six. It has been very difficult to find people who want part-time, temporary employment who can also pass the ISP background check. We have had several people hired who then were hired elsewhere in the agency. It has been a continuous hiring cycle so during the second year of the grant, Bureau Chief McNeill requested a one-year extension in order to give us more time to use all of the grant funds. The original amount of

the grant was for \$95,000 and at the end of October 2020 when the extension was requested, we had spent approximately \$47,000; almost half of the original award. Since the beginning of the grant work, the number of naked arrests has been decreased by 2%. The work being done is not as much as was expected, but with all the variables and the COVID situation, we have had a difficult time reaching those intended goals.

4) FBI Audits resume

Bureau Chief McNeill reported that the triennial FBI audits of Idaho law enforcement agencies start up again in May 2021. NCIC auditors should be in the area this week due to their participation in the ILETS conference. The NIS and SOR audits will be next week and the IT Security audits will be at the end of May. Some auditors will be able to travel here but others will be conducting their audits remotely.

5) Criminal Justice Rapback

Former BCI Bureau Chief, Dawn Peck, tried for several years to get Non-Criminal Justice Rapback through the legislature. This would allow an agency with statutory authorization to “subscribe” to an applicant’s fingerprints for either a licensing or employment situation. The FBI would retain the prints and then any subsequent arrests that ‘hit’ on those fingerprints would generate a message back to the subscribing agency and reporting the potentially disqualifying arrest information. This idea has not been well received by the legislature. However, Criminal Justice Rapback is a bit different. It is for Criminal Justice purposes only. Probation and Parole and LE Investigators would be able to subscribe to either an individual under supervised release or as part of an active investigation and receive arrest information that possibly occurred outside of their jurisdiction. Colonel Wills asked whether this would require a legislative change. Bureau Chief McNeill responded, no. Colonel Wills asked if there was a cost involved and whether that would be Dedicated Funds or General Funds. Bureau Chief McNeill responded that, to her best recollection, it was around \$300,000 and would be paid from the Dedicated Fund. BCI would have to program for the messages that would be transmitted back and forth from the FBI Rapback program. Those are not part of our system today. Chief Kingsbury mentioned that this was a regular topic at the national meetings he attended with Ms. Peck and Ms. McNeill. Bureau Chief McNeill pointed out that most of those conversations were regarding the Non-Criminal Justice rapback because there was a lot more to that process. Major Spencer noted that the Non-Criminal Justice rapback would be very beneficial to Idaho citizens, saving them money as they would not have to be re-fingerprinted annually or as often as the licensing agency or employer needed. Colonel Wills pointed out that many citizens think BCI is already retaining their prints. They don’t understand why they need to keep being fingerprinted for the same purpose. Bureau Chief McNeill stated that if there were an overarching state law covering specific categories of applicants/licensees, and if Rapback were implemented, it could be possible for an individual who now has to have separate licenses in each city, to have a state license and because we could enroll them in Rapback, they would only have to be fingerprinted once. That would potentially save the individual hundreds of dollars and save each Sheriff’s office from having to fingerprint every individual for each city in their jurisdiction that requires a fingerprint background check. BCI has plans to add another livescan device at the location in Meridian to better serve the public as fingerprinting demand has risen significantly.

6) Facial Image Comparison

Bureau Chief McNeill reported that in this month, ISP has upgraded their ABIS through the Western Identification Network. This upgrade version will allow us to access the FBI Interstate Photo System (IPS). BCI will be able to provide facial image comparison to law enforcement agencies throughout the state. Bureau Chief McNeill has spent approximately six months working on a policy for this service, requesting input from ISP Legal staff and has an upcoming meeting with the ABIS vendor to get their technical input. All BCI Fingerprint technicians have attended the FBI Facial Recognition training required for any state to access the IPS. Chief Schei noted that his office has had questions from various groups, including the NAACP about whether they use Facial Recognition. His recommendation was just to be aware of those types of questions. Major Spencer also noted that the results of any search through the IPS will only be an investigative lead. No response will be an absolute match; the agency will still need to do investigative work to establish whether the individual is the one being sought for the crime involved. Bureau Chief McNeill briefly explained the proposed process for an agency to submit a probe image and the BCI steps through response back to the agency. Chief Kingsbury agreed with Chief Schei saying that this is a very controversial topic. Chief Kingsbury also asked whether an agency would have to participate or if they could opt out. Bureau Chief McNeill responded that there is nothing mandatory about the program. If an agency doesn't want to sign an agreement to participate, they are under no obligation to do so. Major Spencer mentioned that really, the whole idea of the service, is to provide law enforcement with as many tools as possible. Chief Kingsbury suggested that the best place to start might be with the Sheriff's Association and the Chief's Association.

III. Old Business

1) Switch validation

Bureau Chief McNeill stated that all agencies, except Twin Falls PD and Gem County were now providing user information through their CAD devices to the switch. For the benefit of Chief Schei who had not been involved in prior discussions, Bureau Chief McNeill provided a brief overview of the issue. Major Spencer inquired whether both agencies were still working within a valid extension. Twin Falls PD had until June to convert. Chief Kingsbury replied that Twin Falls PD is working through changing CAD vendors and some of their timelines had been pushed back but he was confident they would meet the established deadline. There was some discussion as to whether or not if those agencies needed a further extension that the board would have to meet at another time since that was not an action item for this meeting.

2) Circuit "last mile" contracts/SD WAN, router replacement – RFP

ISP has been working with the state Department of Purchasing to put out a Request for Proposal to replace all of the current hard-line ILETS circuits with an internet SD/WAN solution. The RFP was made public on March 25th, closing date for submissions is May 7th. The intention is for ILETS not to have to rely on hard circuits if possible. Our current contractor, Syringa, has significantly increased prices on current DSL lines as they fall out of contract. The expected outcome in layman's terms, is that instead of using a private highway that no one else can see because we are the only ones using it, we will use the public highway and have the security necessary on our end to disguise our traffic so no one can see it. Five

vendors attended the RFP conference call to ask questions. Chief Schei asked if the end result would be lower costs to the agencies. Bureau Chief McNeill responded that that is the intention, to lower costs. One note of concern: Syringa has notified us that effective June 30th of this year, that the local phone company GTT will be discontinuing services for ISP for four locations; Lewis County, Nez Perce Fish Conservancy, Idaho County and Nez Perce County/Lewiston PD. If the contract is not set by that date, these agencies will be running strictly on their microwave backup. We did notify PSC regarding this change and asked them to verify that the microwave in those areas was not relying on the local phone company for that connection.

3) ILETS Access Criteria- Adding Dishonorable Discharge or Dismissal

This topic was held over from the previous board meeting for more research to be done and how the language would read in the criteria. The board was provided language from ISP Legal staff. Major Spencer asked if this language were to be included, would it only affect any new individuals and not have any effect on those who have already been approved. Colonel Wills thought it shouldn't be retroactive. Chief Schei agreed that it should not affect someone who has already been approved.

Action Item: Motion from Colonel Wills, to approve the Dishonorable Discharge or Dismissal to the ILETS Access Criteria as a disqualifier with a caveat that it be this date forward.

Seconded by Major Spencer.

Votes in Favor: 5

Votes Opposed: None

Motion passed

4) Grant funding for Jail/Booking livescans

This is one of several grants BCI is working on currently. This is the 2020 NARIP grant to provide a new livescan for all Sheriff's offices/jail/booking stations. Funding will allow \$15,000 for each county to purchase a new device. Chief Schei asked if this was for Police Departments as well. Bureau Chief McNeill responded that at this point it's just for the Sheriffs. Chief Schei noted that if his agency has a Felony Summons they will do the fingerprinting at their agency. Chief Schei also noted the difficulties involved with cite and release for his agency and the rules surrounding detaining an individual. He also asked, what would be the desired procedure. Bureau Chief McNeill responded that what we tell the agencies is that all of the different players in each county should get together and decide what works best for them. It could be different for each county. Colonel Wills suggested that ICJC could be the organization to come up with recommendations or possible legislative changes to make clear where an arrest print should be taken, when, and by whom. Major Spencer suggested that a possibility for future grant opportunities might be to fund mobile livescans. Chief Schei mentioned that a state standard that would apply to everyone would be beneficial.

5) Switch replacement and conversion to Linux

This topic has been in discussion for about a year. ISP had spending authority to pay for the project but when it came down to getting costs from the vendor, we found that Oracle

licenses have increased substantially from the estimate we were given last year. ISP did not have enough spending authority to cover the increased Oracle costs. In discussion with the ISP Budget Analyst, she felt it would be easier and cleaner to revert the spending authority back this year and then go back to the legislature for the entire amount during the next session. It is possible that we won't have to do the Linux conversion right away, that can possibly be postponed for a year or so. Documentation was provided for cost estimates of several different options available to ILETS but over time, the Traditional version is the least expensive. Bureau Chief McNeill stated that as technology improves, the board can reconsider a hosted solution, perhaps in the 5-10 year range. The amount that will be requested is what is needed over and above our annual maintenance costs that we are already paying. ISP IT staff have already investigated purchasing the necessary hardware and expect that they can buy it for less cost than what the vendor estimates. The vendor is fine with ISP purchasing the hardware, as long as it meets their specifications. Major Spencer pointed out that we are hoping that the expected decrease in costs from changing the ILETS connection vendor from Syringa to another vendor will help keep us from having to increase costs to ILETS users. Chief Schei asked if there was a way to request use of some of the state's surplus to help with these costs. Colonel Wills responded that because ILETS is a dedicated fund source, using General fund monies is not allowed. Chief Kingsbury expressed concern regarding the amount of money in the fund and the cost of the upgrade. Bureau Chief McNeill echoed his concerns and said that was part of the reason that she was ok with putting the project off for another year. With potential savings from the change from Syringa to a new vendor for the ILETS connections, it is possible that we won't need to raise fees at this point.

6) Boats and snowmobile Registration interface with Parks and Recreation

ISP BCI staff met with folks at Parks and Recreation to discuss the new interface. Parks and Rec's vendor is working on the database on their side so that an interface can be installed between their database and ILETS. A cost estimate was provided to the board members of \$57,800 to cover the cost of the project and an increase in our annual maintenance costs of \$4,460. The original estimate from the vendor was much higher. This project is to provide ILETS users with a query to access boat and snowmobile/ATV registrations without having to do an offline search. Queries go to the ITD database and these registrations are no longer housed at ITD.

7) Nlets increase October 2021 and 2021-2023 fees

Bureau Chief McNeill reported that the new fee schedule for the 2021-2023 ILETS billing cycle has been distributed to all of the agencies. The fees for this cycle will remain the same as the 2019-2021 cycle and this new schedule includes the increase in the access fee to cover the increased Nlets fees to the state. The access fees increased \$425 for every state and local agency interface and \$250 for every federal and tribal agency interface.

IV. New Business

1) Election of Board Chair

The board discussed the rules regarding election of the Board Chair. Typically, the board has alternated chairmanship between a Chief and a Sheriff. The Administrative Rule does not

stipulate any alternating election, however it does call for an annual election. Colonel Wills stated that typically if a Chief or Sheriff in the Chair position has more demands outside of the Board, that would be a consideration in the voting. Chairman Snarr noted that he has multiple boards that he sits on and the needs of his agency at this time are more pressing. Chief Schei expressed his reluctance as this was his first meeting. Colonel Wills asked if Chief Kingsbury would be open to taking on the Chair position. Chief Kingsbury said he probably has the time. Colonel Wills also mentioned that Sheriff Gough recently took over as the Chair of the POST Council which will probably take a considerable amount of his time.

Action Item: Colonel Wills moved to appoint Chief Craig Kingsbury as the Chair of the ILETS Board. Motion seconded by Chief Schei.

Votes in Favor: 5

Votes Opposed: None

Motion passed

Adjourn Meeting. Chairman Snarr asked if there was any need for an Executive Session. Hearing no response, he entertained a motion to adjourn the meeting. Motion for adjournment moved by Colonel Wills; seconded by Chief Schei.

Votes in Favor: 5

Votes Opposed: None.

Chairman Snarr adjourned the ILETS Board meeting at 3:40pm.

Meeting minutes submitted respectfully,

Leila McNeill